

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

Fernando Haro III,

Plaintiff,

V.

KRM, Inc. dba Thomas Keller Restaurant Group, et al.,

Defendants.

Case No. 2:20-cv-02113-APG-DJA

Order

KRM, Inc. dba Thomas Keller Restaurant Group, et al.,

Defendants.

Plaintiff Fernando Haro and Defendants KRM, Inc. and KVP, LP have both filed proposed discovery plans and scheduling orders. (ECF Nos. 59 and 60). The parties did not stipulate to a discovery plan. As Defendants explain, despite multiple attempts to meet and confer with Plaintiff—who is proceeding *pro se*—Plaintiff filed his own separate discovery plan and scheduling order. (ECF No. 60 at 1-2). Plaintiff does not address the meet and confer but asserts that the parties “have not participated in a discovery conference as required by Rule 26(f).” (ECF No. 59 at 1).

Under Local Rule 26-1(a),

The pro se plaintiff...must initiate the scheduling of the conference required by Fed. R. Civ. P. 26(f) to be held within 30 days after the first defendant answers or otherwise appears. Fourteen days after the mandatory Fed. R. Civ. P. 26(f) conference, the parties must submit a *stipulated* discovery plan and scheduling order.

LR 26-1(a)(emphasis added). It is thus Plaintiff's responsibility to schedule the Rule 26(f) conference, the deadline for which has long passed. Part of that conference, outlined in Federal Rule of Civil Procedure 26(f)(2), is to develop a proposed discovery plan. *See* Fed. R. Civ. P. 26(f)(2). Under Local Rule 26-1(a), the parties must stipulate to the plan and submit it to the Court thirty days later. LR 26-1(a).

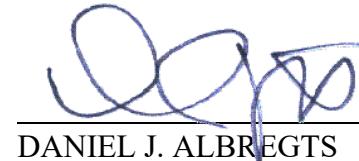
1 **IT IS THEREFORE ORDERED** that both parties' discovery plans and scheduling
2 orders (ECF Nos. 59 and 60) are **denied as moot**.

3 **IT IS FURTHER ORDERED** Plaintiff must contact counsel for Defendants to schedule
4 the Rule 26(f) conference. The parties' stipulated discovery plan and scheduling order is due in
5 thirty days, by **Monday, February 21, 2022**.

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7 DATED: January 20, 2022

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9 DANIEL J. ALBREGTS
10 UNITED STATES MAGISTRATE JUDGE

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